

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JAY S. COOPER

V.

CITY OF PLANO, ET AL.

§
§
§
§
§
§

CASE NO. 4:10-CV-689
Judge Schneider/Judge Mazzant

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 19, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant City of Plano's Fed. R. Civ. P. 12(b)(6) Motion to Dismiss (Dkt. #106) should be granted.

The Court, having made a *de novo* review of Plaintiff's objections, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** is Defendant City of Plano's Fed. R. Civ. P. 12(b)(6) Motion to Dismiss (Dkt. #106) is **GRANTED** and the City of Plano is dismissed with prejudice.

It is further **ORDERED** that Teresa Ward Cooper shall not file an action against any of the

Defendants in this lawsuit for the same or similar claims without first asking leave of Court to proceed.

It is SO ORDERED.

SIGNED this 13th day of September, 2011.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE